



DIVERSION/DISCIPLINE COMMITTEE MINUTES

DATE: October 25, 2007

SITE: Governors Inn
210 Richards Blvd.
Sacramento, CA 95814
Phone: (916) 448-7224
Fax: (916) 448-7382

MEMBERS PRESENT: La Francine Tate, President
Grace Corse, RN, Chair
Andrea Dutton, Med, ARRT

STAFF PRESENT: Ruth Ann Terry, MPH, RN, Executive Officer
Heidi Goodman, Assistant Executive Officer
Elliot Hochberg, Enforcement Program Manager
Carol Stanford, Diversion & Probation Program Manager
Alice Takahanski, RN, NEC
Miyo Minato, RN, NEC
Gina Shellhammer, BRN
Edward Montoya, BRN
DeAnn Corrado, BRN
Marc Cardenas, BRN

OTHERS PRESENT: Don Fensterman, Maximus
Kristen Millar, Maximus
Jonathen Fortis, Maximus
Anita Moreles, Maximus
Kathy Dailey, Maximus
Diane Altemus, Maximus
Jennifer Brown, Maximus
Sharlyn Hansen, CA Nurse Alliance of SEIU

The Chair, Grace Corse called the meeting to order at 10:00 am.

1.0 COMMITTEE BUSINESS

1.1 Approve/Not Approve: Minutes of August 2, 2007

M/S/C: Andrea Dutton / LaFrancine Tate approved the minutes as submitted.

2.0 ENFORCEMENT PROGRAM

2.1 Information Only: Enforcement Program Update and Statistics

Early projections indicate a 50% increase in the number of accusations filed over last fiscal year (504 to 336), even though the number of accusations filed in the last fiscal year was close to the record number of 338. The number of licensee disciplinary decisions is projected to be 18% less than last fiscal year (270 to 306).

The number of licenses surrendered or revoked is projected to be 60% of all disciplinary actions, and the number placed on probation (including those with suspension time) is projected to be 33% of all disciplinary actions. Miscellaneous disciplinary actions make up the remainder.

The number of cases pending at the Attorney General's (AG's) Office has remained approximately the same since the last report. However, this is still a historically high number (609) and may become a record number due to the increased number of accusations filed, and relatively lesser number of disciplinary actions taken.

Enforcement Program Outreach Activities

In keeping with Enforcement Program goals and objectives, program manager Elliot Hochberg was a guest speaker for the Committee for Recognition of Nursing Achievement (CRONA) in Palo Alto, on October 2nd. CRONA is an organization representing nurses at Lucile Packard Children's Hospital and Stanford Hospital.

Mr. Hochberg provided an overview of the Enforcement Program, and disciplinary process. Mr. Hochberg's presentation followed guest speaker Maria W. O'Rourke, an education specialist with extensive knowledge of the Nursing Practice Act. Mr. Hochberg's presentation was well received.

Statistics

Enforcement Program statistics for the first two months of the fiscal year (July and August 2007) were presented.

2.2 Approve/Not Approve: Legislative Proposal to Amend Business and Professions Code Section 2760.1

Attached are the legislative concept memo and proposal for amendments to Business and Professions Code Section 2760.1. This proposed amendment has been provided to the Department of Consumer Affairs Legislative Unit.

This proposal would amend the time period when applicants for licensure as registered nurses may petition the board for a change in their discipline status. Details are provided in the concept memo, and proposed language is attached.

3.0 DIVERSION/PROBATION PROGRAMS

3.1 Information Only: Diversion Program Update and Statistics

Program Update

On August 2, 2007, the Diversion Program Manager was interviewed by members of Australia's Drugs and Crime Prevention Committee regarding the misuse and abuse of prescription drugs by healthcare professionals. This committee was particularly interested in the Board's Diversion Program and the goal of public protection by early identification of impaired RNs and providing these nurses access to appropriate intervention programs and treatment services. The Board was provided with a copy of their Interim Report, which can be accessed at www.parliament.vic.gov.au/dcpc. A thank you letter was received from the committee.

The Diversion Program has hired Connie Johnson as an Office Technician. She replaces Rashana Wright who resigned for personal reasons. Connie has been working in the Administration Unit at the Board and comes to us from the private sector.

Contract Update

All seven Boards are meeting bimonthly with DCA's Contract Unit to draft the Request for Proposal (RFP). The RFP will be released on October 31, 2007 for the next Diversion Program contract that will be awarded in 2008. Don Fensterman, Maximus Diversion Project Manager, introduced his staff and gave a brief summary.

Diversion Evaluation Committees (DEC)

There are currently eleven vacancies as follows: four physicians, two public members and five registered nurses. Interviews were conducted and recommendations are included on today's agenda for approval. Recruitment efforts continue and interviews are scheduled.

Statistics

Attached is the Monthly Statistical Summary Report for July and August 2007. As of August 30th, there were 1,247 successful completions in the Diversion Program.

3.2 Information Only: Probation Program Update and Statistics

Program Update

On October 16th, the Diversion/Probation Manager and several staff attended the NSGF Conference held in Burbank. This meeting was very informative for both the NSG facilitators and the BRN staff. Details of the conference and the meeting minutes will be provided for your review at the next DDC meeting.

Statistics

Statistics for the Probation Program through September 28, 2007 were presented.

3.3 Diversion Evaluation Committee Members

**(a) Approve/Not Approve: Diversion Evaluation Committee
Member Appointments**
**(b) Information Only: Diversion Evaluation Committee Member
Resignation**

In accordance with Business and Professions Code Section 2770.2, the Board of Registered Nursing is responsible for appointing persons to serve on the Diversion Evaluation Committees (DEC). Each DEC is composed of three registered nurses, a physician and a public member with expertise in chemical dependency and/or mental health.

a) APPOINTMENT

Below are the names of the candidate who are being recommended for appointment to the DEC. Their application and résumés are attached. If appointed, their terms will expire June 30, 2011.

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>	<u>NO</u>
William Slavin, DDS	Public	Burbank	8
Patti Velez	Public	Los Angeles	3
Marva Roddy	Nurse	Palm Springs	6
Cheryl Henriksen	Nurse	Sacramento	1
Deborah Steele	Nurse	Sacramento	1
Charles Freeman	Nurse	Fresno	5

M/S/C: Andrea Dutton / LaFrancine Tate - Approved

b) INFORMATION ONLY

Below is the name of a DEC member who has had to resign for personal reasons. Her efforts were recognized and a certificate and letter of appreciation on behalf of the Board has been mailed out.

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>	<u>NO</u>
Sandra Cleveland	Nurse	Fresno	5

M/S/C: Andrea Dutton / LaFrancine Tate - Approved

4.0 OPEN FORUM

The Chair adjourned the meeting at 10:45 am.

Approved:
